

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:

MICHAEL BRESSLER,

Appellant/Debtor,

-against-

STEPHEN DEWEY,

Appellee.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 1/19/2022

20-cv-08815 (NSR)

ORDER

NELSON S. ROMÁN, United States District Judge:

On October 22, 2020, Appellant Michael Bressler filed a notice of appeal with this Court seeking review of the July 22, 2020 Order of the United States Bankruptcy Court for the Southern District of New York (Drain, J.) denying Appellant's motion seeking to hold Stephen P. Dewey and Steven Strum in contempt for alleged violation of the post-discharge injunction pursuant to 11 U.S.C. § 524(a). (ECF No. 1.) In 2004, Strum, a former client of Appellant's, obtained a judgment against him in the Bronx County Supreme Court. (Affirmation of Anne Penachio in Support of Stephen Dewey in Opposition to the Appellant's Motion for a Stay Pending Appeal ("Penachio Aff.") ECF No. 12, ¶ 2.) Appellant filed for Chapter 7 Bankruptcy in 2006 and 2017. (*Id.* ¶¶ 3; 6.) In 2020, Dewey, Strum's new attorney, restrained one of Appellant's financial accounts. (*Id.* ¶ 7.) Appellant then moved the Bankruptcy Court to hold Dewey in contempt, arguing he was discharged from the obligation in the 2017 bankruptcy. (*Id.*) The Bankruptcy Court denied the order, and Appellant appealed. (ECF No. 1.)

On November 18, 2020, Appellant filed an Order to Show Cause in the Bronx County Supreme Court to vacate and set aside Strum's judgment. (ECF No. 10 at Ex. A.) On November 24, 2020 Appellant requested leave to file a motion to stay these proceedings pending a final

decision on his motion in state court. (ECF No. 10.) A review of the state court docket indicates that Appellant's motion was denied, and Strum's judgement remains. Decision and Order at 3, *Strum v. Bressler*, Index No. 14425/2002, (N.Y. Sup. Ct. Mar. 29, 2021). Therefore, Appellant's motion to stay is denied as moot.

The Clerk of the Court is respectfully directed to terminate the motion at ECF No. 10, send a copy of this endorsement to the pro se Appellant, and show service on the docket. Appellant is directed to perfect the Appeal under Bankruptcy Rule 8018 on or before February 18, 2022.

Dated: January 19, 2022

White Plains, New York

SO ORDERED:

A handwritten signature in blue ink, appearing to read 'Nelson S. Román', is written over a horizontal line.

NELSON S. ROMÁN

United States District Judge